REMARKS

Reconsideration of this application is respectfully requested.

This application has been reviewed in light of the Office Action dated July 21, 2004. Claims 1-11, and 17-25 are currently pending. It is gratefully acknowledged that the Examiner still finds allowable subject matter in Claims 5-8, 19, and 22-25.

In the Office Action, the Examiner has again rejected Claims 1, 2, 9-11, 17, and 18 under 35 U.S.C. § 102(e) as being anticipated by *Nystrom et al.* (U.S. 6,189,123), and Claims 3, 4, 20, and 21 under 35 U.S.C. § 103(a) as being unpatentable over *Nystrom* in view of *Hagenauer et al.* (U.S. 6,377,610).

As stated above, the Examiner has rejected independent Claims 1 and 17 under 35 U.S.C. § 102(e) as being anticipated by *Nystrom*. More specifically, the Examiner asserts that *Nystrom* discloses a message information receiver (116) for receiving information about a message to be received and a controller (116) for determining an iterative decoding number according to the received message information. However, it is respectfully submitted that the Examiner is incorrect.

As was previously presented, block 116 in *Nystrom* is used to determine the success of the decoding of a received message. As such, it is respectfully submitted that there is no mention in this cited section or any other section of *Nystrom* that the block 116, which the Examiner attempts to equate with the controller of Claim 1, determines an iterative decoding number. Further, as recited in Claims 1 and 17, a message information receiver receives information about a message that will be received. From this information, the message information receiver determines an iterative decoding number to be used by the decoder. However, in *Nystrom*, block 116 does not determine an iterative decoding number and does not pass any information to the decoder 112. Instead, block 116 receives a decoded signal from the decoder 112 to determine the decoding success.

In response to the previous arguments, the Examiner specifically cites column 12, lines 37-

46, and column 13 lines 4-16, and asserts that that this section teaches that block 116 determines an iterative decoding number according to the received message information. However,. after reviewing these sections it is respectfully submitted that there is no support for the Examiner's position.

Additionally, *Nystrom* discloses decoding codes in a reception part, without any information being received from a transmission part. Further, each decoder in *Nystrom*, which is connected in parallel in a reception part, decodes received signals, which Claims 1 and 17 are distinguishable from.

Further, as previously argued, Claims 1 and 17 recite that a message information receiver receives information about a message that will be received. From this information, the message information receiver determines an iterative decoding number to be used by the decoder. In the response to our previous arguments the Examiner makes no response to this point. Therefore, it is again respectfully submitted that the Examiner is incorrect in rejecting Claims 1 and 17 of the present application as being anticipated by *Nystrom*, and it is respectfully requested that the rejection of Claims 1 and 17 be withdrawn.

Rejected dependent Claims 2-11 and 18-25 depend from independent Claims 1 and 17, respectively, and therefore contain the same limitations as independent Claims 1 and 17. Therefore, for at least the same reasons given for independent Claims 1 and 17, Claims 2-11 and 18-25 are believed to be patentable.

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In view of the preceding remarks, it is respectfully submitted that all pending claims, namely Claims 1-11, and 17-25, are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

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